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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,771	06/29/2001	David U. Shorter	6169-235	2029

40987 7590 10/06/2004

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EXAMINER	
POND, ROBERT M	

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/896,771	SHORTER ET AL.	
	Examiner	Art Unit	
	Robert M. Pond	3625	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/01;2/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-4, 7-10, 13-15, and 17-19 are rejected under 35 USC 102(b) as being anticipated by Olsen et al. (PCT Publication WO 98/33125 hereinafter referred to as "Olsen").**

Olsen teaches all the limitations of Claims 1-4, 7-10, 13-15, and 17-19. For example, Olsen discloses a system and method for focusing on peer-to-peer interactions between disparate systems, creating, executing, and maintaining cross-enterprise processes operating on disparate systems, wherein process execution comprises coordinated inter-site message exchanges that are coupled with controlled sequences of actions that are local to each of the sites (see at least abstract; Fig. 1 (100); page 5). Olsen discloses communication events that

connect one node to another node in a public process definition that represents the exchange of a message of a known object type. Olsen further discloses:

- *Associating a plurality of message adapters with a plurality of integrated technology (IT) systems for processing common data:* messages are sent between IT sites as objects; data containers (please note examiner's interpretation: encapsulated; contents specified by definitions (see at least page 9, lines 3-9); adapters mediate the flow of data between the execution engine and external applications (see at least page 13, lines 11-25).
- *Intercepting in said message adapter data processing messages generated in corresponding retail IT system:* generating a communication event (e.g. purchase order object, confirmations message object) (see at least page 9, line 17 through page 10, line 8).
- *Converting in message adapters the intercepted data processing messages to a common message format and forwarding each converted message to other IT systems:* sending site processes a communication event (see at least page 9, line 17 through page 10, line 8).
- *Receiving the forwarded data processing messages:* receiving site (see at least page 7, lines 8-15).
- *Common message format is based upon XML:* XML (see at least page 9, lines 3-9).

- *Forward each converted data processing message to a data control point:* each site represents a zone of control (see at least page 7, lines 3-7); transporter (see at least Fig. 4 (486); page 12, lines 6-12).
- *Routing the forwarded messages in the data control point to other IT systems:* message sent from the control point over the network to a node in the extended enterprise (see at least Fig. 1 (104); page 6, line 23 through page 7, line 2).
- *Machine readable storage:* inherent in the system of Olsen is machine-readable storage necessary for server's execution engine to function as claimed (see at least Fig. 4 (480, 484); page 12, lines 6-12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 5, 6, 11, 12, 16, and 20 are rejected under 35 USC 103(a) as being unpatentable over Olsen (PCT Publication WO 98/33125), in view of Official Notice (regarding message queuing).

Olsen teaches all the above as noted under the 102(b) rejection and teaches multiple processes generating multiple communication events comprising

messages, but does not disclose queuing messages. This examiner takes the position that queuing inbound or outbound asynchronous data in buffer until it can be processed or transmitted is old and well-known in the computer arts. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Olsen to disclose message queuing as taught by Official Notice, in order to clarify how outbound or inbound messages are processed.

4. **Claims 21 and 22 are rejected under 35 USC 103(a) as being unpatentable over Olsen (PCT Publication WO 98/33125), in view of Flores et al. (patent number 6,073,109 hereinafter referred to as "Flores").**

Olsen teaches a system and method for focusing on peer-to-peer interactions between disparate systems, creating, executing, and maintaining cross-enterprise processes operating on disparate systems, wherein process execution comprises coordinated inter-site message exchanges that are coupled with controlled sequences of actions that are local to each of the sites (see at least abstract; Fig. 1 (100); page 5). Olsen teaches communication events that connect one node to another node in a public process definition that represents the exchange of a message of a known object type. Olsen further teaches:

- *Associating a plurality of message adapters with a plurality of integrated technology (IT) systems for processing common data:* messages are sent between IT sites as objects; data containers (please note examiner's

interpretation: encapsulated; contents specified by definitions (see at least page 9, lines 3-9); adapters mediate the flow of data between the execution engine and external applications (see at least page 13, lines 11-25).

- *Intercepting in said message adapter data processing messages generated in corresponding retail IT system:* generating a communication event (e.g. purchase order object, confirmations message object) (see at least page 9, line 17 through page 10, line 8).
- *Converting in message adapters the intercepted data processing messages to a common message format and forwarding each converted message to other IT systems:* sending site processes a communication event (see at least page 9, line 17 through page 10, line 8).
- *Receiving the forwarded data processing messages:* receiving site (see at least page 7, lines 8-15).
- *Common message format is based upon XML:* XML (see at least page 9, lines 3-9).
- *Forward each converted data processing message to a data control point:* each site represents a zone of control (see at least page 7, lines 3-7); transporter (see at least Fig. 4 (486); page 12, lines 6-12).
- *Routing the forwarded messages in the data control point to other IT systems:* message sent from the control point over the network to a node

in the extended enterprise (see at least Fig. 1 (104); page 6, line 23 through page 7, line 2).

- *Machine-readable storage:* inherent in the system of Olsen is machine-readable storage necessary for server's execution engine to function as claimed (see at least Fig. 4 (480, 484); page 12, lines 6-12).

Olsen teaches all the above as noted under the 103(a) rejection and teaches a) business process definitions, b) transporting messages between sites to communicate business process information, c) each site comprised by a set of application systems that store information and contain logic for retrieving and modifying that information, and d) example applications including enterprise resource planning, product data management, logistics applications, and advanced planning systems (see at least page 7, lines 3-7). Olsen, however, does not disclose detecting a modification to the common data. Flores teaches managing business processes, detecting changes in transaction databases, and initiating processes due to detected changes (see at least abstract; Fig. 4b (1-6); col. 1, lines 10-27; col. 3, lines 20-24; . Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Olsen to detect changes in a database as taught by Flores, in order to communicate changes in business information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-872-9306 (Official communications; including After Final communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

Robert M. Pond
Patent Examiner
September 30, 2004